

ROB BONTA
 Attorney General of California
 LANCE E. WINTERS
 Chief Assistant Attorney General
 SUSAN SULLIVAN PITHEY
 Senior Assistant Attorney General
 KENNETH C. BYRNE
 Supervising Deputy Attorney General
 ANA R. DUARTE
 Deputy Attorney General
 State Bar No. 174715
 300 South Spring Street, Suite 1702
 Los Angeles, CA 90013-1230
 Telephone: (213) 269-6002
 Fax: (916) 731-2122
 E-mail: DocketingLAAWT@doj.ca.gov
Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA

**CARLOS ANTHONY
 HAWTHORNE,**

Petitioner,

v.

PAT HORN,

Respondent.

Case No. CV 22-07535-FWS (AS)

**NOTICE OF SECOND
 SUPPLEMENTAL LODGING**

The Honorable Alka Sagar
 United States Magistrate Judge

Respondent hereby electronically lodges copies of the following documents in support of his Answer to Petition for Writ of Habeas Corpus:

13.¹ Clerk's transcript from Los Angeles County Superior Court Case Number BA137272: Supplemental Volume I – ordered unsealed on October 1, 2014, by California Supreme Court in case number S176951;

¹ On March 10, 2023, Respondent lodged ten documents in connection with his Motion to Dismiss. (*See* Ct. Dkts. 16-17.) And, on June 26, 2023, the clerk's and reporter's transcripts from Petitioner's state trial were lodged as documents 11 and 12. (*See* Ct. Dkts. 23-24.)

1 14. Clerk's transcript from Los Angeles County Superior Court Case Number
2 BA137272: Supplemental Volume III;

3 15. Reporter's transcript from Los Angeles County Superior Court Case
4 Number BA137272: Volume 2A – ordered unsealed on October 1, 2014, by
5 California Supreme Court in case number S176951;

6 16. Reporter's transcript from Los Angeles County Superior Court Case
7 Number BA137272: Volume 5A - ordered unsealed on October 1, 2014, by
8 California Supreme Court in case number S176951;

9 17. Respondent's brief filed in California Supreme Court case number
10 S064769;

11 18. Docket in California Supreme Court case number S176951;

12 19. Exhibits 1 through 157² filed on April 22, 2013, and Exhibits 163 through
13 183 filed on September 16, 2015, in support of Amended Petition for Writ of
14 Habeas Corpus in California Supreme Court case number S176951:

15 -1 Declaration of David C. Baldus

16 -2 Declaration of Donald H. Heller

17 -3 Declaration of George Woodworth, Ph.D.

18 -4 Declaration of Gerald F. Uelmen

19 -5 Declaration of Steven F. Shatz

20 -6 Newspaper Articles Regarding California's Death

21 Penalty Statutes

22 -7 Legislative History Material Regarding California's

23 Death Penalty Statutes

24 -8 Testimony of David Baldus in *Ashmus v. Wong*,

25 November 19, 2010

26 _____
27 ² Exhibits 158 through 162 in support of the Amended Petition for Writ of
28 Habeas Corpus in case number S176951 were filed under seal on June 12, 2013,
and are omitted.

1 -9 Testimony of George Woodworth in *Ashmus v. Wong*,
2 November 22, 2010

3 -10 Testimony of Steven F. Shatz in *Ashmus v. Wong*,
4 January 28, 2010

5 -11 Declaration of James S. Thomson

6 -12 Declaration of Quin Denvir

7 -13 Birth Certificate of Carlos Anthony Hawthorne, Sr.

8 -14 Education Records of Carlos Anthony Hawthorne, Sr.

9 -15 Federal Bureau of Investigation Identification Record
10 for Carlos Anthony Hawthorne, Sr.

11 -16 *People v. Carlos Anthony Hawthorne, Sr., & Sheila*
12 *Laretta Ausborne*, Los Angeles County Superior Court Case No.
13 A 298854, July 27, 1973

14 -17 *People v. Carlos Anthony Hawthorne, Sr.*, Los Angeles
15 County Superior Court Case No. A 435027, February 27, 1974

16 -18 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
17 Superior Court Case No. 71872, April 17, 1979

18 -19 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
19 Superior Court Case No. 82857, February 25, 1982

20 -20 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
21 Superior Court Case No. 82578, February 16, 1982

22 -21 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
23 Superior Court Case No. 85725, October 28, 1982

24 -22 *People v. Carlos Hawthorne, Sr.*, Santa Clara County
25 Superior Court Case No. 91552, August 11, 1983

26 -23 California Department of Corrections and
27 Rehabilitation Custodial File of Carlos Anthony Hawthorne, Sr.,
28 C-85184

1 -24 *People v. Carlos Hawthorne, Sr., and Mary Jane*
2 *Dowling*, Santa Clara County Superior Court Case No. 133070,
3 September 22, 1988

4 -25 San Francisco Police Department Criminal History
5 Record of Carlos Anthony Hawthorne, Sr.

6 -26 Death Certificate of Carlos Anthony Hawthorne, Sr.

7 -27 San Francisco General Hospital Records of Carlos
8 Anthony Hawthorne, Sr.

9 -28 Declaration of William Hawthorne III

10 -29 Declaration of Patricia Hawthorne

11 -30 Declaration of Clara Jeanine Hawthorne

12 -31 Declaration of Roy Henry Hawthorne

13 -32 Declaration of Truman Odell Hudson

14 -33 Declaration of Ray Robertson

15 -34 Declaration of Sierra Luchien

16 -35 Declaration of Jamar'e Demont Luchien

17 -36 Declaration of Elester Luchien, Jr.

18 -37 Declaration of Curtis Luchien

19 -38 Declaration of Elester Luchien

20 -39 Declaration of Brenda Sampson

21 -40 Declaration of Deborah Beal

22 -41 Declaration of Betty King

23 -42 Declaration of Carl Marks

24 -43 Declaration of Ronnie Kindle

25 -44 Declaration of James Robinson III

26 -45 Declaration of Latasha Marks

27 -46 Declaration of Azra Mehmedbasich

28 -47 Declaration of Shervonda Harper

- 1 -48 Declaration of Constance Davis
- 2 -49 Birth Certificate of Brenda Sampson
- 3 -50 Education Records of Brenda Sampson
- 4 -51 Social Security Administration Records of Brenda
- 5 Sampson
- 6 -52 Martin Luther King Medical Center Records of Brenda
- 7 Sampson
- 8 -53 Declaration of Amanda L. Gregory, Ph.D.
- 9 -54 Declaration of Juror No. 967764944
- 10 -55 Declaration of Juror No. 1548
- 11 -56 Declaration of Juror No. 0272
- 12 -57 Declaration of Juror No. 1359
- 13 -58 Declaration of Juror No. 0838
- 14 -59 Declaration of Jimmie Cueva
- 15 -60 Declaration of Dan Ehler
- 16 -61 Declaration of Hassan Jamal Rashad
- 17 -62 Declaration of Crystal Robinson
- 18 -63 California Youth Authority Medical Records of Carlos
- 19 Anthony Hawthorne
- 20 -64 "Comprehensive and Workable Plan for the Abatement
- 21 of Lead-Based Paint in Privately Owned Housing." *U.S.*
- 22 *Department of Housing and Urban Development Report to*
- 23 *Congress*, December 7, 1990
- 24 -65 Education Records of Carlos Anthony Hawthorne II
- 25 -66 Handwritten Interview Notes of Adrienne Davis, Ph.D.
- 26 -67 Newspaper Articles Regarding Los Angeles County
- 27 Jail Violence, Abuses, and Overcrowding

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1 -68 Newspaper Articles Regarding Mental Health and
2 Medical Treatment in Los Angeles County Jails, 1996-1997

3 -69 Vital Records of Carlos Anthony Hawthorne II
4 Maternal Family Members

5 -70 Letter from United States Attorney General Assistant
6 AG Isabelle Katz Pinzler to Los Angeles County Executive
7 Joanne Sturges Regarding CIPRA Investigation of Mental Health
8 Services in the Los Angeles County Jail, September 5, 1997

9 -71 Los Angeles County Jail Medical Records of Carlos
10 Anthony Hawthorne II

11 -72 Death Certificate of Delano Manuel Beckles

12 -73 *People v. Tenechia (aka Tanisha) Hardy*, Los Angeles
13 County Superior Court Case No. VA 0-30208, October 30, 1992

14 -74 *People v. Tanisha Hardy*, Los Angeles County
15 Superior Court Case No. BA136287, August 9, 1996

16 -75 Death Certificate of Mary Jane Thomas

17 -76 *County of Santa Clara v. Mary Dowling and Carlos*
18 *Hawthorne*, Case No. 789CV191677 Certificate of Clerk, re Civil
19 Case Purged

20 -77 San Francisco Police Department Notice of Destroyed
21 Records of Carlos Anthony Hawthorne, Sr.

22 -78 Birth Certificate of Elester Luchien

23 -79 Death Certificate of Ethel Lee Luchien

24 -80 *People v. Dorothy Holley and Marlon Luchien*, Los
25 Angeles County Court Case No. TA 022570, February 25, 1993

26 -81 Articles and Information Regarding Neighborhoods in
27 which Carlos Anthony Hawthorne II Lived

28 -82 Criminal Court Records of Lloyd King

- 1 -83 Criminal Court Records of Betty King
- 2 -84 California Department of Corrections and
- 3 Rehabilitation Records of Lloyd King
- 4 -85 California Department of Corrections and
- 5 Rehabilitation Records of Betty King
- 6 -86 Los Angeles County Coroner Department Records of
- 7 Ronnie King, June 6, 1972
- 8 -87 Criminal Court Records of Leamon Adams
- 9 -88 Criminal Court Records of Carl Marks
- 10 -89 Los Angeles County Jail Custody Records of Carlos
- 11 Anthony Hawthorne II
- 12 -90 Los Angeles County Juvenile Court Records of Carlos
- 13 Anthony Hawthorne
- 14 -91 Martin Luther King Jr. Medical Records of Carlos
- 15 Anthony Hawthorne II
- 16 -92 Kaiser Permanente Medical Records of Carlos Anthony
- 17 Hawthorne II
- 18 -93 Los Angeles County University of Southern California
- 19 Medical Records of Carlos Anthony Hawthorne II
- 20 -94 Excerpts Regarding Los Angeles Jails from Special
- 21 Counsel Semiannual Reports on the Los Angeles County Sheriff's
- 22 Department, 1996-1997
- 23 -95 *People v. Lester Luchien*, Los Angeles County Court
- 24 Case No. BA200835, May 1, 2000
- 25 -96 Medical Records of Betty King, Metropolitan State
- 26 Hospital
- 27 -97 Criminal Court Records of Ronnie King

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1 -98 Los Angeles County Department of Coroner Records
2 of Carlton Reaves, Jr.

3 -99 Voir Dire Notes of District Attorney Wilkinson

4 -100 California Youth Authority Records of Carlos
5 Anthony Hawthorne II

6 -101 Letter from Adrienne Davis, Ph.D. to Randy Short,
7 June 28, 1997

8 -102 "Lead-Based Paint Hazards and Needs in Los Angeles
9 County", Los Angeles County Housing and Community
10 Development Consolidated Plan (c. 2003)

11 -103 Declaration of Paul Blevins

12 -104 Declaration of Kevin Franklin

13 -105 Declaration of Richard G. Dudley, Jr. M.D.

14 -106 "Which of These Children Will Be Poisoned by
15 Lead?" by Albert L. Huebner. *Los Angeles Times*, April 2, 1978

16 -107 Metropolitan State Hospital Medical Records of Carol
17 Hawthorne

18 -108 Social Security Administration Records of Carol
19 Hawthorne

20 -109 Education Records of Carol Hawthorne

21 -110 Southern Nevada Adult Mental Health Services
22 Medical Records of Carol Hawthorne

23 -111 California Department of Corrections and
24 Rehabilitation Records of Carl Marks

25 -112 Declaration of Juror No. 4311

26 -113 Vital Records of Carlos Anthony Hawthorne II
27 Siblings

28 -114 Education Records of Sierra Luchien

- 1 -115 Education Records of Elester Luchien Jr.
- 2 -116 Social Security Administration Records of Lloyd
- 3 King
- 4 -117 Excerpts of Darrel Lomax Petition for Writ of Habeas
- 5 Corpus
- 6 -118 Declaration of Randy Short Filed in Support of James
- 7 Heard Petition for Writ of Habeas Corpus Automatic Appeal No.
- 8 S035769
- 9 -119 Olympia Medical Center Medical Records of Estella
- 10 Riley
- 11 -120 Foster Care Records of Elester Luchien Jr.
- 12 -121 Department of Social Services Records of Brenda
- 13 Sampson
- 14 -122 California Department of Corrections and
- 15 Rehabilitation Records of Ronnie Kindle
- 16 -123 Vital Records of Carlos Anthony Hawthorne II
- 17 Paternal Family Members
- 18 -124 Los Angeles County Coroner Department Records of
- 19 William Hawthorne Jr., October 14, 1956
- 20 -125 Los Angeles County Coroner Department Records of
- 21 Erma Hawthorne, October 31, 1974
- 22 -126 Information Regarding California Juvenile Justice
- 23 System Institutions in Which Carlos Anthony Hawthorne II Lived
- 24 -127 Information Regarding Specific Learning Disability
- 25 -128 Declaration of Daniel B. Vasquez
- 26 -129 Declaration of Leonard Rice
- 27 -130 “At San Quentin, 647 condemned killers wait to die in
- 28 the most populous execution antechamber in the United States”

1 *San Francisco Chronicle*, November 20, 2005

2 -131 Declaration of Randy Short, Esq.

3 -132 Declaration of Katherine Porterfield, Ph.D.

4 -133 Declaration of Arthur Kowell, M.D.

5 -134. Birth Certificate of Carlos Anthony Hawthorne II

6 -135 Newspaper Article Regarding Arresting Officer

7 Achziger Misconduct

8 -136 *Aguirre v. Achziger, et. al.* in the US District Court for
9 the Central District of California, Southern Division - Santa Ana,
10 Case No. 08-cv-00643, June 11, 2008

11 -137 Newspaper Articles Regarding Capitally-Charged
12 Home-Invasion Cases

13 -138 Information Regarding Chlorpromazine

14 -139 Information Regarding Los Angeles County

15 Education and Social Service Institutions

16 -140 Information Regarding Little Rock Arkansas School
17 Desegregation

18 -141 Los Angeles County University of Southern
19 California Medical Records of Elester Luchien, Jr.

20 -142 Los Padrinos Juvenile Hall Juvenile Records of
21 Elester Luchien, Jr.

22 -143 *The County of Los Angeles v. Elester Luchien, Sr.*,
23 Los Angeles County Court Case No. BY 0521533, December 24,
24 2000

25 -144 Kedren Psychiatric Hospital Medical Records of
26 Elester Luchien, Jr.

27 -145 Excerpt of LAPD Notes re: Interior Characteristics of
28 Crime Scene

1 -146 Contract Ledger for Randy Short in *People v.*
2 *Carlos A. Hawthorne*

3 -147 Subpoena Directed to Detective William Smith to
4 Appear as a Witness

5 -148 California Department of Corrections and
6 Rehabilitation Records of Carlos Anthony Hawthorne II

7 -149 Report by Adrienne Davis, Ph.D. of Carlos Anthony
8 Hawthorne II

9 -150 Los Angeles County University of Southern
10 California Medical Records of Carlos Anthony Hawthorne II
11 (continued)

12 -151 Letter from then-Chief Justice Ronald M. George to
13 United States Senator Dianne Feinstein, November 29, 2005

14 -152 Letter from then-Chief Justice Ronald M. George to
15 Chief Judge Mary M. Schroeder, October 29, 2003

16 -153 Vehicle Investigation Report, Vanessa Sells' Lexus
17 300

18 -154 LAPD Scientific Investigation Division, Latent Print
19 Section

20 -155 Juvenile Court Order of Mellaril Prescription for
21 Carlos Anthony Hawthorne II

22 -156 Pre-Adjudication Social Study in the Matter of Salena
23 McDaniels and Monique Keller

24 -157 Declaration of Terry Kupers

25 -158 Unredacted Declaration of Juror No. 1548 - filed
26 under seal - omitted

27 -159 Unredacted Declaration of Juror No. 0272 - filed
28 under seal - omitted

1 -160 Unredacted Declaration of Juror No. 1359 - filed
2 under seal - omitted

3 -161 Unredacted Declaration of Juror No. 0838 - filed
4 under seal - omitted

5 -162 Unredacted Declaration of Juror No. 4311 - filed
6 under seal - omitted

7 -163 Letter from Michael L. Radelet and Glenn L. Pierce,
8 November 11, 2010

9 -164 Letter from Neil Vidmar, Ph.D., October 21, 2010

10 -165 Letter from John J. Donohue, October 26, 2010

11 -166 Letter from William J. Bowers, October 18, 2010

12 -167 Declaration of Jeffery Aaron

13 -168 Declaration of Adrienne C. Davis, Ph.D., ABPP

14 -169 Declaration of Tanisha Hardy

15 -170 People v. Ronnie Edward King [TN Lloyd Vincent
16 King], Los Angeles County Superior Court, Case No. BA145236
17 (1997)

18 -171 People v. Ronnie Edward King [TN Lloyd Vincent
19 King], Los Angeles County Superior Court, Case No. YA011731
20 (1992)

21 -172 Declaration of Krista Forrest, Ph.D.

22 -173 Reports Regarding the Implementation and Frequency
23 of the Death Penalty

24 -174 Final Report, California Commission on the Fair
25 Administration of Justice

26 -175 Transcript of Proceedings, Jones v. Chappell, U.S.
27 Central District Court Case No. CV 09-02158-CJC, July 16, 2014

28 ///

1 -176 Ronald M. George, Reform Death Penalty Appeals,
 2 Los Angeles Times, January 7, 2008

3 -177 Discrimination, Torture, and Execution: A Human
 4 Rights Analysis of the Death Penalty in California and Louisiana,
 5 Center for Constitutional Rights and International Federation for
 6 Human Rights, June 14, 2013

7 -178 Notice of Appeal, Mitchell Sims v. California
 8 Department of Corrections and Rehabilitation, et al., Marin
 9 County Superior Court Case No. CIV1004019, April 26, 2012

10 -179 Declaration of Jeanne Woodford

11 -180 Declaration of Michael Laurence

12 -181 Newspaper Articles on Botched Executions

13 -182 Excerpt of Chronological Record, Los Angeles Police
 14 Department, Case No. 96-0327536 (1996)

15 -183 Nicole L. Hair et al., Association of Child Poverty,
 16 Brain Development, and Academic Achievement, 169 JAMA
 17 Pediatr. 822 (2015);

18 20. October 1, 2014 unredacted Informal Response to Amended Petition for
 19 Writ of Habeas Corpus filed in California Supreme Court case number S176951;
 20 and

21 21. Reply to Informal Response filed in California Supreme Court case
 22 number S176951.

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1 Respondent has also provided paper copies of these lodged documents to the
2 Court, which need not be returned to Respondent.

3 Dated: April 15, 2024

Respectfully submitted,

4 ROB BONTA
Attorney General of California
5 LANCE E. WINTERS
Chief Assistant Attorney General
6 SUSAN SULLIVAN PITHEY
Senior Assistant Attorney General
7 KENNETH C. BYRNE
Supervising Deputy Attorney General
8

9 /s/ Ana R. Duarte

10 ANA R. DUARTE
Deputy Attorney General
11 *Attorneys for Respondent*

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CERTIFICATE OF SERVICE

Case Name: *Carlos Anthony Hawthorne v.
Pat Horn*

No. CV 22-07535-FWS (AS)

I hereby certify that on April 15, 2024, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

NOTICE OF SECOND SUPPLEMENTAL LODGING

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on April 15, 2024, at Los Angeles, California.

Frances Conroy
Declarant

/s/ Frances Conroy
Signature

ARD:fc
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